

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

ALAERIC TEVON BIRGE, A MINOR,
BY MOTHER AND NEXT FRIEND,
PHENIQUESKI S. MICKENS,

Plaintiff,

v.

No. 04-2531-B/P

DOLLAR GENERAL CORPORATION,

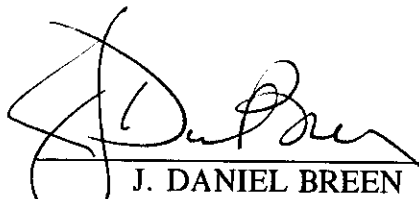
Defendant.

ORDER OF REFERENCE

Before the court is Defendant Dollar General Corporation's Motion to Exclude the Expert Opinion and Testimony of E. Dwayne Tatalovich filed on November 14, 2005.

This motion is referred to the United States Magistrate Judge for determination and/or report and recommendation. Any objections to the magistrate judge's order and/or report and recommendation shall be made within ten (10) days after service of the order and/or report and recommendation, setting forth particularly those portions of the order and/or report and recommendation objected to and the reasons for the objections. Failure to timely assign as error a defect in the magistrate judge's order/report and recommendation will constitute a waiver of that objection. See Rule 72(a), Federal Rules of Civil Procedure.

IT IS SO ORDERED this 17th day of November, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 11-18-05

(38)



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Honorable J. Breen
US DISTRICT COURT